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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,609	06/24/2002	Simon Harrison	GILP008	4557
22434	7590	09/29/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			MERED, HABTE	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/049,609	HARRISON, SIMON
	Examiner Habte Mered	Art Unit 2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 24 June 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-17 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-17 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 24 June 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

1. The preliminary amendment filed on 6/24/2002 has been fully considered and entered.
2. Claims 1-17 are pending.
3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in United Kingdom on 6/13/2000 and 12/13/2000. It is noted, however, that applicant has not filed a certified copy of the GB0014431.1 and GB0030408.9 applications as required by 35 U.S.C. 119(b).

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. **Claims 14-16** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claim 14** recites the limitation "...step ( c )" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

**Claim 15** recites the limitation "...step ( c )" in the third line of the claim. There is insufficient antecedent basis for this limitation in the claim.

**Claim 16** recites the limitation "...step ( c )" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Erekson et al (US 6, 836, 862 B1), hereinafter referred to as Erekson.**

*Erekson discloses connection method between two Bluetooth enabled devices.*

7. **Regarding claim1, Erekson discloses a designated master communications (See Figure 1, element 10 in piconet 1 and element 50 in piconet 2) device for communicating with other communications devices (all other elements apart from 10 and 50 are slaves) via a wireless connection in accordance with a wireless communications protocol, the protocol being adapted to cause the communications device initiating the wireless connection to act as the master, the communications device accepting the connection acting as a slave, the designated master communications device being adapted to be the master (See Column 5:30-60) and comprising:**

**a transceiver for transmitting and receiving signals (See Figure 2 elements 205 and 210 and Column 5:62-67); and,**

**a processor coupled to the transceiver (See Figure 2, elements 220 and 230), the processor being adapted to: detect the presence of another communications device; establish a wireless connection with the other communications device such that the designated master communications device acts as the master; and, cause any subsequent communication to be performed via the established wireless connection. (See Column 6:30-67)**

8. Regarding **claim 12**, Erikson discloses a method of enforcing a master and slave relationship between two communications devices communicating via a wireless connection in accordance with a wireless communications protocol (i.e. Bluetooth), the protocol being adapted to cause the communications device initiating the wireless connection to act as the master (**See Column 5:30-60**), the method comprising: designating one of the communications devices to be the master; causing the designated master communications device to detect the presence of another communications device (**Column 5:38-40 and Column 6:36-50**); causing the designated master communications device to establish a wireless connection with the other communications device; and, causing any subsequent communication to be performed via the established wireless connection. (**See Column 6, 51-67**)

9. **Claims 1-3 and 6-17** are rejected under 35 U.S.C. 102(e) as being anticipated by Smolentzov et al (US 6, 788, 656) hereinafter referred to as Smolentzov.

*Smolentzov teaches creating a cellular radio communication system out of a number of piconets.*

10. Regarding **claim1**, Smolentzov discloses a designated master communications device (**See Figure 1, each BRFP is a master in a piconet and hence BRFP 105 is the master in piconet 109**) for communicating with other communications devices (**all BPPs in Figure 1 are slaves**) via a wireless connection in accordance with a wireless communications protocol (**Bluetooth**), the protocol being adapted to cause the communications device initiating the wireless connection to act as the master, the

communications device accepting the connection acting as a slave, the designated master communications device being adapted to be the master (**See Column 2:44-67, Column 5:23-67, Column 6:1-43, and Figure 2**) and comprising:  
a transceiver for transmitting and receiving signals (**See Figure 14 element 1403**); and,  
a processor coupled to the transceiver (**See Figure 14, elements 1401**), the processor being adapted to: detect the presence of another communications device;  
establish a wireless connection with the other communications device such that the designated master communications device acts as the master; and,  
cause any subsequent communication to be performed via the established wireless connection. (**See Figure 2 and Column 6:1-43** )

11. Regarding **claim 12**, Smolentzov discloses a method of enforcing a master and slave relationship between two communications devices communicating via a wireless connection in accordance with a wireless communications protocol (i.e. **Bluetooth**), the protocol being adapted to cause the communications device initiating the wireless connection to act as the master(**See Column 5:30-60**), the method comprising:  
designating one of the communications devices to be the master;  
causing the designated master communications device (**BRFP**). to detect the presence of another communications device (**Column 5:38-40 and Column 6:36-50**);  
causing the designated master communications device to establish a wireless connection with the other communications device; and,  
causing any subsequent communication to be performed via the established wireless connection. (**See Column 6, 51-67**)

12. Regarding **claims 2 and 13**, Smolentzov discloses a designated master communications device (**BRFP**) and method, wherein the processor is adapted to detect the presence of the other communications device by detecting a polling signal generated by the other communications device, the polling signal: being generated in accordance with the protocol to initiate , a wireless connection. (**Figure 2, Step 201 and Column 5:53-67**)

13. Regarding **claims 3 and 14**, Smolentzov discloses a method and a designated master communications device, (**BRFP**) wherein the processor is adapted to establish a wireless connection with the other communications device by: generating a response to the polling signal (**Figure 2, Steps 202-206**) thereby accepting the wireless connection from. the other communications device such that the designated master communications device acts as a slave(**Figure 2, step 206**); breaking the wireless connection; and, establishing a new wireless connection such that the designated master communications 'device-acts as the master. (**See Column 5:63-67 and Column 6:27-31**)

14. Regarding **claims 6 and 15**, Smolentzov discloses a method and a designated master communications device (**BRFP**) according, wherein the designated master communications device is further connected to a number of slave communications devices via a number of wireless connections, and wherein the processor is further adapted to establish the wireless connection with the other communications device by: generating a standby signal (i.e. Park Command **see Column 6:35-36 and Figure 2, step 208**) causing the number of slave communications devices to enter a standby

mode (i.e. Park mode, **Figure 2, step 208**) before accepting the wireless connection from-the other-communications device; and; - generating a wake-up signal (**a beacon signal and paging signal – see Column 6:53-67**)causing the number of slave communications devices to be revived from the standby mode (**active mode – see Figure 3, step 303 and Column 7:1-4**) once the new wireless connection has been established.

15. Regarding **claims 7 and 16**, Smolentzov discloses a method as well as a designated master communications device (**BRFP**), wherein the processor is adapted to establish a wireless connection with the other communications device by: failing to generate a response to the polling signal, thereby rejecting the wireless connection from the other communications device; and, establishing a new wireless connection .such that the designated master communications device acts as the master. (**See Column 6:53-67**)

16. Regarding **claim 8**, Smolentzov discloses a designated master communications (**BRFP**) device according, wherein the processor is adapted to establish a new wireless connection by generating a polling signal, the polling signal being transmitted t o the other communications device (**BPP**) via the transceiver (**Figure 14, element 1403**) .(**See Column 8:64-67 and Figure 7, step 701**)

17. Regarding **claim 9**, Smolentzov discloses a designated master communications device, wherein the designated mater communications device is a call handling device for connecting the other communications devices to a communications network., the call handling device including an output for connecting the call handling device to the

communications network. (**See Figure 1 and Column 5:22-45 – the BRFP is a radio node intended for call handling**)

18. Regarding **claims 10 and 17**, Smolentzov discloses a method and a designated master communications device, wherein the wireless communications protocol is the Bluetooth protocol. (**See Figure 1, and Column 2:62-65**)

19. Regarding **claim 11**, Smolentzov discloses a communication device, wherein the other communications device, include any one of telephones, computing devices, printers, PDAs, computer peripherals, and headsets. (**See Figure 1 BPP 101 is a wireless device like a PDA with voice communication capability and BPP 102 is a computer peripheral that include printers**)

20. Regarding **claim 12**, Smolentzov discloses a method, wherein the communications protocol is the Bluetooth protocol. (**See Figure 1, and Column 2:62-65**)

***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. **Claims 4 and 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Smolentzov et al (US 6, 788, 656) hereinafter referred to as Smolentzov in view of Kumar (US 6, 640, 268).

*Kumar discloses dynamic polling mechanism for wireless devices in piconet or scatternet.*

21. Regarding **claim 4**, Smolentzov fails to disclose a scatternet arrangement wherein a designated master communications device, wherein the designated master communications device is further connected to a number of slave communications devices via a number of wireless connections, and wherein the processor is further adapted to establish the wireless connection with the other communications device using a scatternet such that the wireless connection with the slave communications devices form a first piconet, and the wireless connection with the other communications device forms a second piconet

Kumar discloses a scatternet arrangement wherein the designated master communications device (**Figure 11, element 11120**) is further connected to a number of slave communications (**Figure 1, element 1110**) devices via a number of wireless connections, and wherein the processor is further adapted to establish the wireless connection with the other communications device using a scatternet such that the wireless connection with the slave communications devices form a first piconet (**Piconet A (1130)**), and the wireless connection with the other communications device forms a second piconet (**Piconet B (1130)11**) (**See Column 11:43-55**)

22. Regarding **claim 5**, Smolentzov fails to disclose a scatternet arrangement such that a designated master communications device, wherein the processor is further adapted to establish the new wireless connection with the other communications device such that the new wireless connection forms part of the first piconet. (**Figure 11, new**

**wireless connection between master 1120 in Piconet A and slave node 5 of  
Piconet B and Column 11:43-50).**

23. With respect **claim 4 and 5**, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Smolentzov's apparatus to incorporate a scatternet arrangement wherein the designated master communications device is further connected to a number of slave communications devices via a number of wireless connections, and wherein the processor is further adapted to establish the wireless connection with the other communications device using a scatternet such that the wireless connection with the slave communications devices form a first piconet, and the wireless connection with the other communications device forms a second piconet and vice versa. The motivation being a scatternet facilitates communication between elements of two different subnets or piconets.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Habte Mered whose telephone number is 571 272 6046. The examiner can normally be reached on Monday to Friday 9:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HM  
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